

PERMANENT RECORD

WITHDRAWN

ORDINANCE NO. R- 2016-24

TAX CODE(S) 82-06-19-029-064.011-029

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE IN THE CITY OF EVANSVILLE, INDIANA, AS FOLLOWS, TO WIT: 216 N. Fulton Street, Evansville, IN 47710

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF EVANSVILLE, INDIANA, AS FOLLOWS, TO WIT:

Section 1: That Ordinance no. G-82-51, being the Municipal Code of the City of Evansville, Indiana, 1982, and more particularly Title XV, Chapter 153, by making certain changes in Atlas 1, which is made part of said section with respect to the following described real estate located in the City of Evansville, Vanderburgh County, State of Indiana:

Part of Lot Two (2) in Block Eighty-four (84) in Lamasco, an Addition to the City of Evansville, as per plat thereof, recorded in Deed Record E, Pages 372, 373 and 374 and transcribed of record in Plat Book A, Pages 26 and 27 and retranscribed of record in Plat Book E, Pages 60 and 61 in the Office of the Recorder of Vanderburgh County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Lot Two (2), thence East along the North line of said Lot Two (2), to the Northeast corner of said Lot Two (2), thence South a distance of Thirty-four and Three Tenths (34.3) feet to a point in the middle of a Twelve (12) inch wall now standing on said Lot Two (2), thence West parallel with the North line of said Lot Two (2) and along the middle of said brick wall to the West line of said Lot Two (2), thence North to the place of beginning.

Subject to all easements, restrictions, rights-of-way and public roadways of record.

by changing the zoning classification of the above-described real estate from C-4 to C-2, and said real estate is hereby so rezoned and reclassified.

Section 2. The Director of the Area Plan Commission of Evansville and Vanderburgh County is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on said Atlas 1 as set out in Section 1 of this Ordinance, and to make notation in ink thereon of reference to the number of this ordinance and the date of final publication of the amendatory ordinance after its passage and approval; however, failing to do so shall not invalidate this Ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Common Council, its approval by the Mayor, and its publication as required by law, which publication is now ordered.

Section 4. The subject property herein rezoned shall be used and developed only in accordance with the use and development commitment which is incorporated as part of this Petition for Rezoning and recorded in the office of the Recorder of Vanderburgh County, Indiana, on _____ at Instrument No. _____. No improvement location permits shall be issued unless the proposed uses is in compliance with said recorded use and development commitment.

Passed by the Common Council of Evansville, Indiana, on this _____ day of August, 2016.

ATTEST: _____
City Clerk

President

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, to the Mayor of said city, the _____ day of _____, 2016.

City Clerk

Having examined the foregoing Ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said Ordinance, and return same to the City Clerk this _____ day of _____, 2016, at _____ o'clock _____.

Mayor of the City of Evansville, Indiana

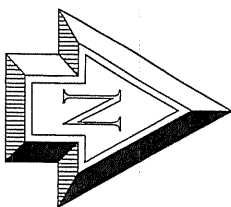
This instrument was prepared by : Bradley J. Salmon, Terrell Baugh Salmon & Born, LLP, 700 S. Green River Road, Suite 2000, Evansville, IN 47715.

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

FILED

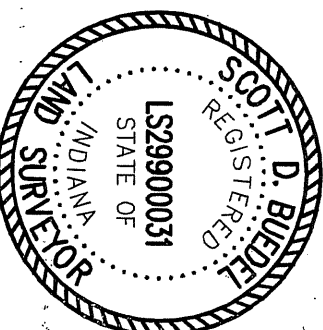
AUG 08 2016

Anna Winkler
CITY CLERK



	82-06-19-029-.061.018-.029 Bank of Mt. Carmel Trustee 620 Oak Street Mt. Carmel, IL 62865 -23/3	4
82-06-19-029-.064.001-.029 Daniel L & Sandra K Mitchell 1822 E Sassafras Lane Evansville, IN 47712 Doc. #2005R00005486	5	
82-05-24-.029-.064.005-.029 Lincoln Plaza LLC 600 N 6th Avenue Evansville, IN 47710 Doc. #1999R00001777	3	
82-06-19-029-.064.010-.029 Evansville Brewery Development LLC 400 E Symamore Street Evansville, IN 47713 Doc. #2016R00013657	1	

82-06-19-029-064,071-029
Jonie & John L. Barnett
216 N. Fulton Ave.
Evansville, IN 47710
Doc. #2016R-00000884



CONSULTING ENGINEERS • LAND SURVEYORS
WWW.DASHWAGNER.COM

414 CITADEL CIRCLE
SUITE B
EVANSVILLE, IN 47715
PH: 812.401-5561
FAX: 812.401-5563

VERIFIED PETITION FOR REZONING

2016-26 -PC ORDINANCE NO. R- 2016-24
COUNCIL DISTRICT: Ward 6, Jim Brinkmeyer

PETITIONER Cory Lamb and Jonie Lamb PHONE (812) 909-3032
ADDRESS 858 Sunset Ave, Evansville, Indiana ZIP CODE 47713
OWNER OF RECORD John L. Barrett and Jonie Barrett PHONE (812) 909-3032
ADDRESS 216 N Fulton Ave, Evansville, Indiana ZIP CODE 47710

1. Petition is hereby made for the amendment of the "Zoning Maps" of the Area Plan Commission of Evansville and Vanderburgh County, pursuant to the Indiana Code and the Municipal Code of Evansville.
2. Premises affected are on the W side of Fulton a distance of 50 feet S (N.S.E.W.) of the corner formed by the intersection of Fulton Ave and W Franklin St.
Registered Neighborhood Association (if applicable) Westside Improvement Assn.

LEGAL DESCRIPTION:
SUBDIVISION Lamasco BLOCK 84 LOT NO. Pt Lot 2
(where applicable - if not in a subdivision, insert legal here or attach to ordinance)

3. The commonly known address is 216 Fulton Avenue, Evansville, IN 47710
4. The real estate is located in the Zone District designated as C-4
5. The requested change is to (Zone District) C-2
6. Present existing land use is General Commercial
7. The proposed land use is Art Studio/Residence
8. Utilities provided: (check all that apply)
City Water X Electric X Gas X Storm Sewer X
Sewer: Private Public X Septic
9. All attachments are adopted by reference.
10. The owner, or attorney for the owner, hereby certifies that the owner of record shown above owns 50% or more of the area of the above described real estate. I affirm under the penalties for perjury that the foregoing representations are true.

(REQUIRED) Signatures:

DATE 7-10-16 PETITIONER [Signature]
(when signed) PRINTED NAME Cory Lamb and Jonie Lamb

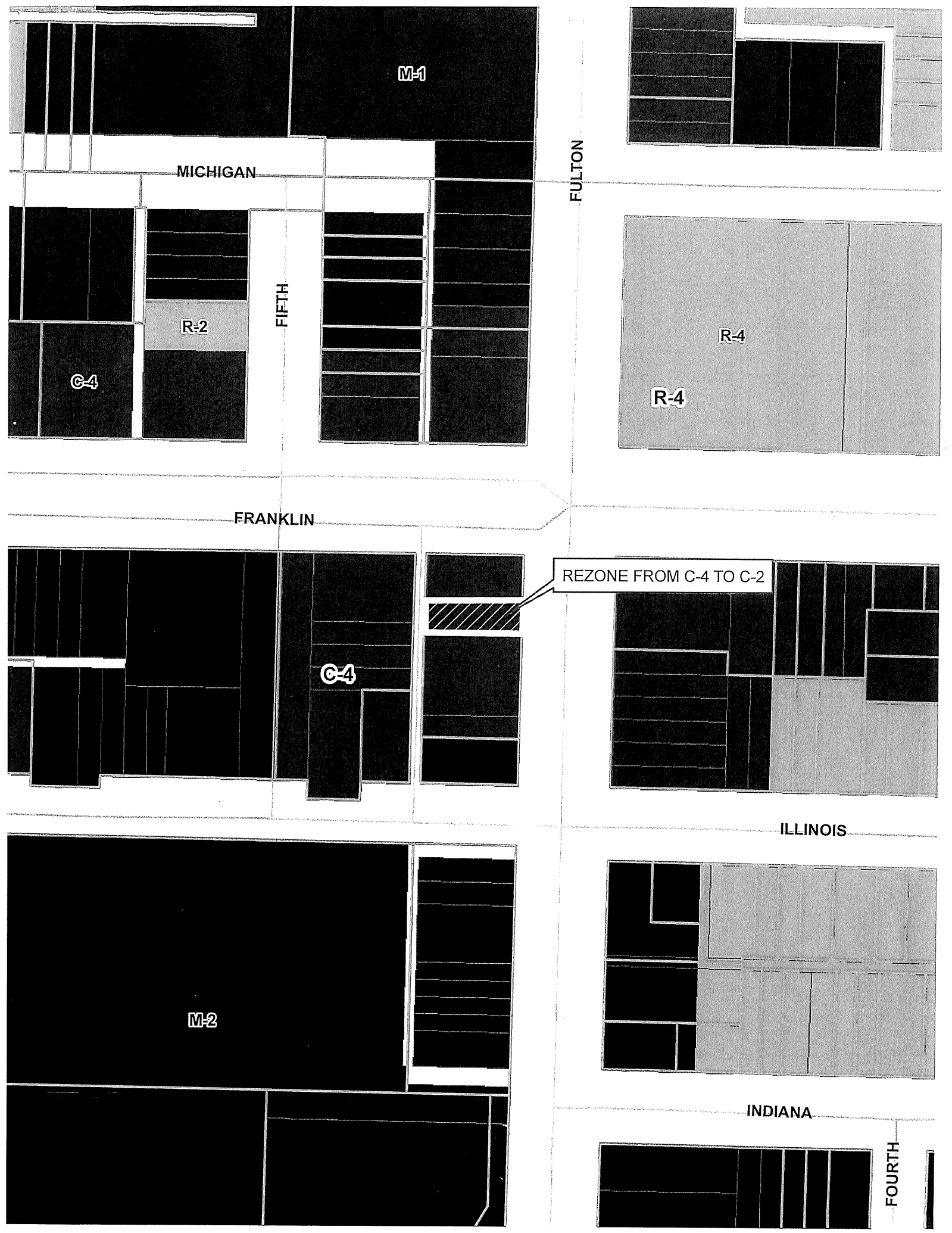
DATE 7-10-16 OWNER OF RECORD [Signature]
(when signed) PRINTED NAME John L. Barrett and Jonie Barrett

REPRESENTATIVE FOR PETITIONER NAME Bradley J. Salmon
(Optional) ADDRESS/ZIP 700 S. Green River Rd., Ste. 2000, Evansville, IN 4771
PHONE (812) 479-8721

FILED

AUG 08 2016

[Signature]
CITY CLERK



RECEIVED

SEP 13 2016

CITY REZONING AFFIDAVIT

AREA PLAN COMMISSION

STATE OF INDIANA)
COUNTY OF VANDERBURGH)

SS: Date: September 7, 2016

Docket Numbers: 2016-26-PC R-2016-24

I, Bradley J. Salmon, hereby affirm under the penalties of perjury that I have mailed letters containing required information about a rezoning at 216 N. Fulton Avenue, Evansville, IN, 47715, to the following property owners on August 11, 2016. I hereby certify that, to the best of my knowledge, the following (or attached) is a complete and accurate list of all abutting property owners whose properties touch at any point the owner's property, included in whole or in part in the ordinance for rezoning stated above. I obtained said list by looking up the tax codes and abutting property owners on the records and/or plat maps in the office of the Assessor and receiving a printout of the current owners of record and their most recent mailing addresses as listed on the records in the office of the Treasurer of Vanderburgh County on August 11, 2016.


Letters were sent to:

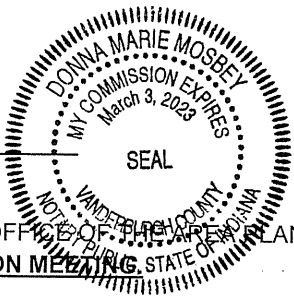
Name	Address	Tax Code
Lincoln Plaza, LLC	600 N. 6 th Avenue Evansville, Indiana 47710	82-05-24-029-064.005-029
Bank of Mt. Carmel, Trustee	620 Oak St. Mt. Carmel, Illinois 62863	82-06-19-029-061.018-029
Daniel L. and Sandra G. Mitchell	1822 E. Sassafrass Lane Evansville, IN 47712	82-06-19-029-064.001-029
Evansville Brewery Development, LLC	400 E. Sycamore Street Evansville, IN 47713	82-06-19-029-064.010-029
Westside Improvement Assn. DeAnna Outlaw	1701 Schutte Road Evansville, IN 47712	
CHAIN Marteen Montgomery	1101 Cedar Street Evansville, IN 47710	

The letters were sent CERTIFIED MAIL, RETURN RECEIPT SERVICE. The green receipts **AND ONE SAMPLE LETTER** are attached.


Affiant's signature (Petitioner, attorney, or representative)

Subscribed and sworn to before me, a Notary Public in and for said County and State this 7th day of September, 2016.


(Notary Public)
My Commission expires: 3/3/2023
Residence of Notary: Vanderburgh County



NOTE: THIS AFFIDAVIT MUST BE FILED IN THE OFFICE OF THE AREA PLAN COMMISSION BY NOON THE TUESDAY BEFORE THE AREA PLAN COMMISSION MEETING.

RECEIVED
OCT 12 2016
BY: _____

notice OK
10/12/16
JG

*** NOTICE OF PUBLIC HEARING***

FOR AMENDMENT OF THE COMPREHENSIVE ZONING ORDINANCE :OF THE CITY OF
EVANSVILLE

DATE: August 8, 2016

Daniel L. & Sandra G. Mitchell
1822 E. Sassafras Lane
Evansville, IN 47712

RE: Petition for Rezoning
Docket numbers: 2016-26-PC R-2016-24

Dear Mr. and Mrs. Mitchell:

This letter will serve notice to you of scheduled hearings of a petition for amendment of the Comprehensive Zoning Ordinance which has been filed with the Area Plan Commission of Evansville and Vanderburgh County.

This proposed amendment is to allow a change in zoning from: C4 – C-2.

on the property located at: 216 Fulton Avenue, Evansville, IN, 47710.

Part of Lot Two (2) in Block Eighty-four (84) in Lamasco, an Addition to the City of Evansville, as per plat thereof, recorded in Deed Record E, Pages 372, 373 and 374 and transcribed of record in Plat Book A, Pages 26 and 27 and retranscribed of record in Plat Book E, Pages 60 and 61 in the Office of the Recorder of Vanderburgh County, Indiana, more particularly described as follows:

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Subject to all easements and rights-of-ways of record.

AREA PLAN COMMISSION hearing to be held in Room 301 (City Council Chambers), City-County Administration Building, Civic Center Complex, Evansville, Indiana. Hearing to be held at 4:00 p.m. on Thursday, October 13, 2016.

CITY COUNCIL hearing to be held in Room 301 (City Council Chambers), City-County Administration Building, Civic Center Complex, Evansville, Indiana. Hearing to be held at 5:30 p.m. on Monday, November 14, 2016.

Sincerely,

TERRELL, BAUGH, SALMON & BORN, LLP
Bradley J. Salmon
700 S. Green River Road
Evansville, IN 47715

If you have any questions, please contact me at: (812) 479-8721

Notice OK
for 9/23/16
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AREA PLAN COMMISSION

ADJOINERS' LIST - JUNE 14, 2016

82-06-19-029-064.010-029 Evansville Brewery Development, LLC 400 E. Sycamore Street Evansville, IN 47713	82-06-19-029-064.001-029 Daniel L. & Sandra G. Mitchell 1822 E. Sassafras Lane Evansville, IN 47712	82-05-24-029-064.005-029 Lincoln Plaza, LLC 600 N. 6 th Avenue Evansville, IN 47710
82-06-19-029-061.018-029 Bank of Mt. Carmel Trustee 620 Oak Street Mt. Carmel, IL 62863-2373	Westside Improvement Assn. DeAnna Outlaw 1701 Schutte Road Evansville, IN 47712	CHAIN Marteen Montgomery 1101 Cedar Street Evansville, IN 47710

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AREA PLAN COMMISSION

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SEP 13 2016

CITY REZONING AFFIDAVIT ATTACHMENTS

Property - 216 N. Fulton Avenue
Docket No. 2016-26
Ordinance # 2016-24

AREA PLAN COMMISSION

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Lincoln Plaza, LLC 600 N. 6th Avenue Evansville, IN 47710</p>		<p>B. Received by (Printed Name) J.M. WARLICK</p>	<p>C. Date of Delivery 8-16-16</p>
<p>2. Article Number (Transfer from service label) 7015 3010 0001 4510 8097</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>	
<p>9590 9403 0676 5196 3454 72</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Bank of Mt. Carmel Trustee 20 Oak Street Mt. Carmel, IL 62863-2373</p>		<p>B. Received by (Printed Name) Tom Dersch</p>	<p>C. Date of Delivery 8-15-16</p>
<p>2. Article Number (Transfer from service label) 15 3010 0001 4510 8110</p>		<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>9590 9403 0676 5196 3454 65</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

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SEP 13 2016

Property - 216 N. Fulton Avenue
Docket No. 2016-26
Ordinance # 2016-24

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<div style="text-align: center;">  9590 9403 0676 5196 3454 89 </div> <p>2. Article Number (Transfer from service label)</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> 115 3010 0001 4510 8080 </div>	<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) </div> <div style="width: 45%;"> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery </div> </div>

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<div style="border-bottom: 1px solid black; padding-bottom: 10px;"> <p><input checked="" type="checkbox"/> Complete items 1, 2, and 3.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> </div> <div style="padding-top: 10px;"> <p>1. Article Addressed to:</p> <p style="margin-top: 20px;">Evansville Brewery Development, LLC 400 E. Sycamore Street Evansville, IN 47713</p> </div>	<div style="border-bottom: 1px solid black; padding-bottom: 10px;"> <p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>Colleen Brown</i></p> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 10px;"> <div style="flex: 1; padding-right: 10px;"> <p>B. Received by (Printed Name)</p> </div> <div style="flex: 1;"> <p>C. Date of Delivery</p> <p style="font-size: 1.2em;">8-15-14</p> </div> </div> <div style="padding-top: 10px;"> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> </div>
<div style="border-bottom: 1px solid black; padding-bottom: 10px;"> <p>2. Article Number (Transfer from service label)</p> </div> <div style="padding-top: 10px;"> <p>115 3010 0001 4510 8073</p> </div>	<div style="border-bottom: 1px solid black; padding-bottom: 10px;"> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> </div> <div style="padding-top: 10px;"> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p> </div>

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SEP 13 2016

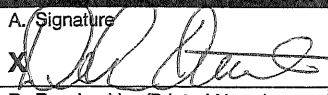

CITY REZONING AFFIDAVIT ATTACHMENTS

Property - 216 N. Fulton Avenue

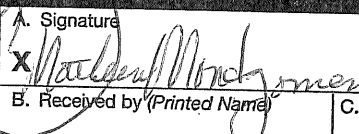

Docket No. 2016-26

Ordinance # 2016-24

AREA PLAN COMMISSION

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1. Article Addressed to: Westside Improvement Assn. DeAnna Outlaw 1701 Schutte Road Evansville, IN 47712	B. Received by (Printed Name) C. Date of Delivery 8-13
 9590 9403 0676 5196 3454 58	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label) 7015 3010 0001 4510 8103	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery

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1. Article Addressed to: CHAIN Marteem Montgomery 1101 Cedar Street Evansville, IN 47710	B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
 9590 9403 0676 5196 3454 34	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery

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